

MINUTES
VILLAGE OF LAKE PARK COUNCIL MEETING
3801 LAKE PARK ROAD, LAKE PARK, NC
7 PM

January 14, 2020

ATTENDING: Mayor David Cleveland
Mayor Pro Tem Pam Jack
Council Members: James Record, Jeremy Russell and Joe Scaldara
Village Administrator: Cheri Clark
Finance Officer: Cheryl Bennett
Attorney: Ken Swain

CALL TO ORDER: Mayor David Cleveland called the January 14, 2020 Regular Session Council Meeting to order.

PUBLIC COMMENT: There were no public comments.

APPROVAL OF MINUTES: Joe Scaldara made the motion to approve the December 10, 2019 Regular Session Council Minutes as presented. Jeremy Russell seconded the motion.
Vote – Unanimous.

CHANGES TO THE AGENDA: Delete: 6. Union County - Fire Service. James Record made the motion to adopt the January 14, 2020 Council Meeting Agenda as amended. Joe Scaldara seconded the motion. Vote – Unanimous.

SECURITY REPORT: Mayor David Cleveland introduced and welcomed our new Lake Park Deputy JR Austin. Deputy Austin shared that there were 77 calls for service, 5 alarm calls and 44 traffic stops during the month of December.

Mayor David Cleveland shared that over the holidays the Village had a homeless young adult sleeping in a friend's car on Creft Circle by the basketball court. The situation was very disconcerting to the residents that live along that stretch of Creft. Deputy Austin offered to take the individual to the homeless shelter in Monroe but he refused. The Village does not have an ordinance that prohibits sleeping in a car on a public street. Attorney Ken Swain shared that he has concerns about directly prohibiting sleeping in a car. Mr. Swain suggested that Council review the Hickory Ordinance and then decide if they would like to proceed.

COUNCIL POLICIES AND PROCEDURES: Mayor David Cleveland discussed general policies and procedures for Council. Typically, Council discusses a topic before bring forth a motion. A motion is made, seconded and then voted upon. Three Council members create a quorum. If there is a quorum and you are discussing town business, then the public has to be notified of the meeting. Do not reply all to an email – respond individually to the sender. Please conduct all town business with your Lake Park email and copy Cheri Clark for potential

public information requests. Council needs to be familiar with the Social Media and Finance Policies.

FINANCE OFFICER'S REPORT: Cheryl Bennett shared that as of today, Ad valorem taxes are 97.7% collected. Facility Rentals are doing well and the Village has received the quarterly Piped Gas Sales Tax.

James Record made a motion to refund \$4,055.36 to Corelogic and \$90.00 to Ryan Tax Compliance for overpayment of ten tax parcels. Joe Scaldara seconded the motion. Vote – Unanimous.

	<u>Dec 19</u>	<u>Jul - Dec 19</u>	<u>YTD Budget</u>	<u>% of Budget</u>
General Fund				
Income				
Property Taxes				
Ad valorem current year	110,462.26	542,675.38	595,058.00	91%
Utility ad valorem	3,489.64	3,489.64	7,215.00	48%
Motor vehicle tax	6,768.46	37,113.32	89,209.00	42%
Ad valorem prior years	0.00	6,438.63	2,000.00	322%
Penalties and interest	90.48	1,735.42	1,800.00	96%
Total Property Taxes	120,810.84	591,452.39	695,282.00	85%
Other Taxes				
Stormwater Fees- current year	12,045.00	57,195.00	62,137.00	92%
Stormwater fees - prior years	0.00	225.88	250.00	90%
Total Other Taxes	12,045.00	57,420.88	62,387.00	92%
State Shared Revenues				
Alcoholic Beverage Tax	0.00	0.00	16,200.00	0%
Sales and use tax	19,127.35	63,565.32	210,000.00	30%
Telecom. Sales Tax	364.84	306.08	1,700.00	18%
Elec. Sales Tax	29,194.44	27,958.73	102,000.00	27%
Video Prog. Sales Tax	4,919.91	4,219.89	19,000.00	22%
Piped Gas Sales Tax	1,084.06	1,420.59	7,100.00	20%
Solid Waste Disposal Tax	0.00	1,392.91	3,800.00	37%
Total State Shared Revenues	54,690.60	98,863.52	359,800.00	27%
Parks & Recreation Revenue				
Program Fees-Fishing Licenses	27.00	476.00	1,500.00	32%
Facility Rentals	195.00	2,789.00	3,000.00	93%
Daily swim fees	0.00	10,718.00	12,000.00	89%
Season pass pool fees	0.00	1,100.00	50,000.00	2%
Total Parks & Recreation Revenue	222.00	15,083.00	66,500.00	23%
Other revenues				
Zoning Permits	50.00	510.00	1,500.00	34%
Approp. Fund Balance	0.00	0.00	30,986.00	0%

Civil Penalties	0.00	90.00	600.00	15%
Investment revenue	627.75	4,777.22	8,000.00	60%
Miscellaneous	116.68	17,971.72	17,360.00	104%
Total Other revenues	794.43	23,348.94	58,446.00	40%
Total Income	188,562.87	786,168.73	1,242,415.00	63%
Gross Profit	188,562.87	786,168.73	1,242,415.00	63%
Expense				
General Government				
Other Expenditures				
Contingency	0.00	0.00	15,000.00	0%
Stormwater Expense				
Advertising	0.00	0.00	100.00	0%
Dues and Permits	0.00	750.00	750.00	100%
Prof. Fees - Engineering	0.00	0.00	18,000.00	0%
Repairs & Maint. Services	0.00	9,643.86	43,537.00	22%
Total Stormwater Expense	0.00	10,393.86	62,387.00	17%
Total Other Expenditures	0.00	10,393.86	77,387.00	13%
Planning and Zoning				
Zoning Admin. Services	1,132.66	6,795.96	13,592.00	50%
Code Enforcement Services	0.00	0.00	600.00	0%
Consulting Fees	0.00	206.25	4,000.00	5%
Supplies	0.00	0.00	300.00	0%
Training	300.00	560.00	800.00	70%
Total Planning and Zoning	1,432.66	7,562.21	19,292.00	39%
Gen. Govt. Personal Services				
Adm Assistant	2,013.38	6,405.76	13,650.00	47%
Clerk/Tax Collector	5,960.34	35,762.04	71,524.00	50%
Council	2,758.31	5,319.51	12,806.00	42%
Finance Officer	1,574.75	9,448.50	18,897.00	50%
Mayor	1,313.25	2,626.50	5,253.00	50%
Payroll Expenses	1,128.57	5,118.99	10,400.00	49%
Total Gen. Govt. Personal Services	14,748.60	64,681.30	132,530.00	49%
Professional Fees				
Auditing Services	1,617.00	4,620.00	4,820.00	96%
Legal Services	3,456.00	7,416.00	18,000.00	41%
Total Professional Fees	5,073.00	12,036.00	22,820.00	53%
Supplies and Materials				
Office	608.25	2,092.01	7,100.00	29%
Total Supplies and Materials	608.25	2,092.01	7,100.00	29%
Services				
Communications/Newsletter	284.90	1,350.26	4,900.00	28%
Advertising	0.00	0.00	400.00	0%

Membership and dues	0.00	5,197.00	5,400.00	96%
Bank charges	51.04	407.59	950.00	43%
Elections	0.00	0.00	3,110.00	0%
Insurance/bonds	0.00	9,339.21	9,931.00	94%
Miscellaneous oper. exp.	324.42	411.25	500.00	82%
Website/flyers	0.00	900.00	1,500.00	60%
Postage	0.00	188.00	800.00	24%
Property Tax	0.00	51.32	400.00	13%
Tax collection	204.93	1,372.23	2,000.00	69%
Telephone	509.72	2,662.34	5,900.00	45%
Training	0.00	43.11	1,000.00	4%
Travel	73.08	489.50	1,200.00	41%
Total Services	1,448.09	22,411.81	37,991.00	59%
Capital Outlay				
Furniture/Office	0.00	0.00	7,000.00	0%
Sidewalk repairs	0.00	0.00	15,000.00	0%
Total Capital Outlay	0.00	0.00	22,000.00	0%
Total General Government	23,310.60	119,177.19	319,120.00	37%
Parks & Recreation				
Parks/Rec. Supplies & Materials				
Flags	0.00	0.00	3,500.00	0%
Janitorial /Cleaning Supplies	0.00	2.74	250.00	1%
Food/Provisions - events	0.00	817.71	3,500.00	23%
Pool Supplies	0.00	0.00	2,100.00	0%
Total Parks/Rec. Supplies & Materials	0.00	820.45	9,350.00	9%
Parks/Rec Services				
Pool management fee	0.00	14,552.00	57,550.00	25%
Pool Operations	0.00	289.16	7,100.00	4%
Comm. center maintenance	2,319.16	5,091.61	9,150.00	56%
Seasonal Decorations	9,051.40	9,074.52	16,500.00	55%
Events Services	0.00	3,406.00	4,000.00	85%
Water/Sewer	575.19	3,131.65	6,000.00	52%
Natural Gas	64.64	203.80	700.00	29%
Total Parks/Rec Services	12,010.39	35,748.74	101,000.00	35%
Maintenance of Common Areas				
Landscaping	12,967.96	79,407.76	155,615.00	51%
Park maintenance	13,056.10	19,032.30	63,750.00	30%
Pond maintenance	2,763.00	8,289.00	19,600.00	42%
Electric Maintenance	725.00	2,285.00	17,500.00	13%
Repairs of Common Areas	0.00	5,350.54	7,240.00	74%
Total Maintenance of Common Areas	29,512.06	114,364.60	263,705.00	43%
Parks/Rec Capital Outlay				

Reserve for Tennis Court	0.00	0.00	10,000.00	0%
Reserve for Playground	0.00	0.00	5,000.00	0%
Benches, Tables etc.	0.00	0.00	2,000.00	0%
Total Parks/Rec Capital Outlay	0.00	0.00	17,000.00	0%
Total Parks & Recreation	41,522.45	150,933.79	391,055.00	39%
Public Services/Safety				
Capital Outlay-ADA parking space	0.00	0.00	10,000.00	0%
Electric bills	8,051.78	52,840.09	116,800.00	45%
Street Signs	0.00	1,999.24	7,500.00	27%
Waste Collection	16,596.94	83,226.26	199,740.00	42%
Law enforcement	0.00	99,089.64	198,200.00	50%
Total Public Services/Safety	24,648.72	237,155.23	532,240.00	45%
Total Expense	89,481.77	507,266.21	1,242,415.00	41%
Net General Fund	99,081.10	278,902.52	0.00	100%
Powell				
Bill				
PB				
Income				
Interest - Powell Funds	0.00	1,073.89	800.00	134%
Powell Bill Revenue	47,626.20	95,252.41	96,050.00	99%
Total PB Income	47,626.20	96,326.30	96,850.00	99%
PB Expense				
Street Exp. - Powell Bill	0.00	647.00	96,850.00	1%
Total PB Expense	0.00	647.00	96,850.00	1%
Net Powell Bill	47,626.20	95,679.30	0.00	100%
Net Excess of Rev. over Exp.	146,707.30	374,581.82	0.00	100%

PARKS AND RECREATION: James Record shared that P&R did not meet in December.

The Village has had fifteen replacement trees planted by Union Power. Kiker Tree Service has completed the tree removals and the tree/light conflicts except for where Christmas decorations need to be removed.

COMMUNICATION COMMISSION: Pam Jack shared that the Communication Commission met last week. The Commission would like to host a New Resident Pool Party on Friday, May 22nd from 6 to 8 pm. The Commission would pay for the lifeguards for the event. In case of inclement weather, the event will be held in the Community Center Rental Room. Pam Jack plans to attend the January Parks and Recreation meeting to request approval to use the pool for the event.

The Commission also plans to have a booth at the Fall Festival again this year. They would like to see a combined Commission and Council booth and provide Village information too.

Lori Scaldara has expressed an interest in serving on the Commission. The Communication Commission would like to recommend the appointment of Lori Scaldara to the Communication Commission. Pam Jack made the motion to appoint Lori Scaldara to the Communication Commission. James Record seconded the motion. Councilman Joe Scaldara recused himself from the vote. Vote: Unanimous.

PLANNING AND ZONING: Mayor David Cleveland asked Council if there were any questions or concerns about the proposed text amendment changes. James Record made a motion to adopt the following text amendment changes to the Unified Development Ordinance. Text Amendment 2020-01: Article 9 - Development Standards. Section 9.12, et seq- Residential Solar Energy Panels. The proposed amendment will add Article 9.12, et seq as attached hereto by adding provisions regarding the installation of residential solar energy panels. Pam Jack seconded the motion.

The Village Council has found, contemporaneously with the motion above, that the proposed amendments set forth above to the Village of Lake Park Unified Development Ordinance, which serves as the comprehensive zoning plan for the Village, are consistent with the plan in that the amendments serve to provide standards and regulation of solar panel energy installation related to location, height, screening and other aspects of such an installation as well as insure that the Village complies with state legislative provisions regarding allowance of such installations.

Furthermore, the Village Council has found that the proposed amendments to the Village of Lake Park Unified Development Ordinance are reasonable and in the public interest in that they provide specific standards and regulations regarding the installation of a specific type of energy producing equipment that is not commonly in current use within the Village. These standards and regulations serving to provide general uniformity for such installations yet also promote allowance of such technology. Vote – Unanimous.

Note: A full and complete copy of all text changes that are being made to the Unified Development Ordinance as a result of these motions and findings are included in the minutes of the Council meeting and incorporated by reference as if fully set out.

Joe Scaldara made a motion to adopt the following text amendment changes to the Unified Development Ordinance. Text Amendment 2020-02: Article 9- Development Standards. Section 9.3.3- Exceptions and Modifications for Fences and Walls. The proposed amendment will add Article 9.3.3 as attached hereto by adding provisions regarding various exceptions and modifications for fences and walls. Jeremy Russell second the motion.

The Village Council has found, contemporaneously with the motion above, that proposed amendments set forth above to the Village of Lake Park Unified Development Ordinance, which serves as the comprehensive zoning plan for the Village, are consistent with the plan since the proposed amendments serve to provide exceptions and modification provisions for fences and walls that would be more appropriate for properties both in the industrial zoning district and falling under the utilities category contained within section 8.3.10. These provisions being directed towards, but not limited to, enhancing protection of the public, providing greater security for industrial use properties, providing greater security for utility uses as defined with

the ordinance, providing protection of valuable pieces of property from damage or vandalism, and other needs best suited for these types of properties or uses.

Furthermore, the Village Council has found that that the proposed amendments to the Village of Lake Park Unified Development Ordinance are reasonable and in the public interest in that it provides local legislation which specifies exceptions and modifications to wall and fencing requirements for industrial properties that will provide greater protection to the public, give more adequate security and assist in the prevention and deterrence or damage, theft or vandalism to valuable or and potentially dangerous properties. Vote: Unanimous.

Note: A full and complete copy of all text changes that are being made to the Unified Development Ordinance as a result of these motions and findings are included in the minutes of the Council meeting and incorporated by reference as if fully set out.

PUBLIC SERVICES (Street, Waste Collection & Lighting): Mayor David Cleveland shared that the Village received the quote from Red Clay for two ADA parking spaces - \$28,737. Council budgeted \$10,000 for ADA parking spaces and the Village will be getting additional quotes for the ADA spaces.

Mayor David Cleveland shared that we are still working on permanent outdoor lighting for the pool.

COMMUNICATION INFORMATION: Pam Jack shared that topics for the February newsletter include: Communication Commission news, January Council updates; HOA updates, Open Commission seats, Recycling and Fishing Permits.

COUNCIL COMMENTS: Jeremy Russell shared that he appreciates the turnout tonight for the Council meeting.

Joe Scaldara shared that it is good to see a crowd tonight and welcomed Joe McCauley and his new business Lake Park Caffè to the Village.


James Record thanked everyone for coming out tonight and welcomed Lori Scaldara to the Communication Commission.

Pam Jack thanked Nicole Bell and Lori Scaldara from the Communications Commission for attending.

Mayor David Cleveland thanked the audience for coming out tonight.

ADJOURN: James Record made the motion to adjourn. Joe Scaldara seconded the motion. Vote – Unanimous.

Respectfully submitted,


Mayor David Cleveland


Village Administrator, Cheri Clark

